

### **REMARKS**

In response to the Office Action mailed March 30, 2011, reconsideration is respectfully requested. To further the prosecution of this application, amendments have been made in the claims, and each of the rejections set forth in the Office Action has been carefully considered and is addressed below. The claims as presented are believed to be in condition for allowance.

Claims 1-7 were previously pending in this application. Claims 1 and 7 are amended. No claims are added or cancelled. As a result, claims 1-7 remain pending for examination, with claims 1, 6 and 7 being independent. No new matter has been added.

#### **Claim Rejections Under 35 U.S.C. §112**

Each of independent claims 1, 6 and 7 is rejected under 35 U.S.C. §112, first paragraph, for purportedly failing to comply with the written description requirement. Specifically, the Office Action contends that limitations added to each of these claims in the previous response (i.e., filed February 8, 2011) are not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor had possession of the claimed invention at the time the application was filed. This rejection is respectfully traversed.

In the previous response, each of claims 1 and 7 was amended to recite that a detected vibration is not smaller than a static, predetermined level that is defined prior to the vibration being detected. Claim 6 was amended to recite defining a static, predetermined vibration level, and then subsequent to the defining, detecting a vibration. The specification provides ample support for these limitations.

For example, the specification describes an embodiment in which an operation control section 30 (Fig. 1) receives a signal from a vibration sensor 44 (see the specification at, for example, p. 13, lines 7-9). Specifically, the vibration sensor 44 detects whether a vibration produced on an image display section is greater than or equal to a vibration level which the specification calls "predetermined" (p. 13, lines 20-25). In the context of a description of a vibration being detected, the characterization of the level against which the detected is measured as being "predetermined"

clearly indicates that the level is defined prior to the vibration being detected, as each of claims 1 and 7 recites. It also clearly indicates that the vibration is detected subsequent to the vibration level being defined, as claim 6 recites. Thus, the specification provides support for the limitations added to each of claims 1, 6 and 7 in the previous response. A person of ordinary skill in the art would have recognized in the specification a description of the invention described by the claims.

In view of the foregoing, withdrawal of the rejection of each of claims 1, 6 and 7 under 35 U.S.C. §112, first paragraph, for purportedly failing to comply with the written description requirement is respectfully requested.

#### Claim Rejections Under 35 U.S.C. §102

Each of independent claims 1, 6 and 7 stands rejected under 35 U.S.C. §102(b) as purportedly being anticipated by Japanese Patent Application Serial No. 406083296 to Aoyanagi (“Aoyanagi”). As presented herein, each of independent claims 1, 6 and 7 patentably distinguishes over Aoyanagi.

##### A. Rejection of Independent Claim 1

Amended claim 1 recites an information-providing apparatus comprising, *inter alia*, vibration detecting means for detecting vibration produced on an image display means mounted on a mobile object, determining whether the detected vibration is not smaller than a static, predetermined level defined prior to said vibration being detected, and sending a detection output signal when said vibration is determined to be not smaller than said predetermined level. Said predetermined level is greater than an absence of vibration. An operation control means is for modifying a display mode of said information, from a first display mode to a second display mode, when receipt of said detection output signal over a predetermined duration of positive length indicates that the vibration of not smaller than said predetermined level produced on said image display means sustains over the predetermined duration.

Aoyanagi does not disclose or suggest vibration detecting means for detecting vibration of not smaller than a static, predetermined level that is defined prior to a vibration being detected, as recited by claim 1. Rather, Aoyanagi discloses distinguishing vibration experienced by a vehicle in which an image display device travels from vibration experienced by the display device itself (§[0017]). Aoyanagi discloses subtracting the vibration experienced by the vehicle from that which is experienced by the display device, since the operator of the vehicle is likely to be experiencing the same vibration as the vehicle (§[0017]). Previously, the Examiner has contended that since the vehicle vibration is subtracted from the image display device vibration, the image display device vibration is that which is at “not smaller than a predetermined level,” meaning that the vehicle vibration is that which the previous Office Action considered to be at the “predetermined level.”

Even if this contention were supported by the reference, the vehicle vibration detected by the Aoyanagi system is neither defined prior to a vibration being detected nor static. Specifically, because vehicle vibration is caused by inherently unpredictable forces applied to the vehicle by the natural environment in which it operates, it can not be defined prior to a vibration being detected, and is not static. Accordingly, the rejection of claim 1 under 35 U.S.C. §102(b) as purportedly being anticipated by Aoyanagi should be withdrawn.

Claims 2-5 depend from claim 1 and are allowable for at least the same reasons.

**B. Rejection of Independent Claim 6**

Claim 6 recites a method of providing information allowing image display of information which assists travel of a mobile object. The method comprises, *inter alia*, defining a static, predetermined vibration level that is greater than an absence of vibration; subsequent to the defining, detecting vibration produced on said image display section; determining whether said detected vibration is not smaller than the predetermined vibration level; and sending a detection output signal when said vibration is not smaller than said predetermined vibration level.

It should be appreciated from the discussion above regarding claim 1 that Aoyanagi does not disclose or suggest a method comprising defining a static, predetermined vibration level; subsequent

to the defining, detecting vibration produced on an image display section; and determining whether the detected vibration is not smaller than the predetermined vibration level, as recited by claim 6.

Accordingly, claim 6 patentably distinguishes over Aoyanagi such that the rejection of claim 6 under 35 U.S.C. §102(b) as purportedly being anticipated by Aoyanagi should be withdrawn.

C. Rejection of Independent Claim 7

Claim 7 recites an information-providing apparatus comprising, *inter alia*, a vibration detecting section that detects vibration produced on an image display section, determines whether the detected vibration is smaller than a static, predetermined level defined prior to said vibration being detected, and sends a detection output signal when said vibration is determined to be not smaller than said predetermined level.

It should be appreciated from the discussion above regarding claim 1 that Aoyanagi does not disclose or suggest a vibration detecting section that determines whether a detected vibration is smaller than a static, predetermined level of vibration defined prior to the vibration being detected, as recited by claim 7.

Accordingly, claim 7 patentably distinguishes over Aoyanagi such that the rejection of claim 7 under 35 U.S.C. §102(b) as purportedly being anticipated by Aoyanagi should be withdrawn.

**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. S1459.70115US00.

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